## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:05CV326-03-MU

EDWIN WAYNE JOYCE,	)	
Plaintiff,	)	
V.	) ) )	ORDER
LACY H. THORNBURG, et. al.,	) )	
Defendants.	) ) )	

THIS MATTER is before this Court on Plaintiff's' "Motion to Answer Order dated 1/5/06" (Document No. 9) filed January 17, 2006. By the instant motion, Plaintiff asks this Court to reconsider the denial of his previous motions. (Document No. 6, "Motion to Answer Order; Amendment of more Defendants" and Document No. 7, "Temporary Restraining Order and/or Preliminary Injunction".)

On October 31, 2005, Plaintiff filed a Complaint pursuant to 42 U.S.C. § 1983 alleging that Judge Lacy Thornburg, then North Carolina's Attorney General and ten other named defendants, many of whom are related to Judge Thornburg, conspired against him during his trial for child molestation in 1987 (Document No. 1). By Order dated November 9, 2005, this Court dismissed Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(g) as Plaintiff filed three or more civil actions that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted and had not shown that he was under imminent danger of serious

physical injury (Document No. 3).1

On December 21, 2005 Plaintiff filed a "Motion to Answer Order; Amendment of more Defendants" and a "Temporary Restraining Order and/or Preliminary Injunction. By Order dated January 5, 2006, this Court denied both motions due to its prior Order dismissing the case pursuant to 28 U.S.C. § 1916(g) (Document No. 8).

By the instant Motion, Plaintiff seeks to have this Court reconsider its January 5, 2006 Order. This Court declines to consider Plaintiff's most recent motion as the basis for this Court's dismissal still stands and Plaintiff has not asserted any new claims that would alter the analysis of that Order. Therefore, Plaintiff's "Motion to Answer Order dated 1/5/06" is denied.

<sup>&</sup>lt;sup>1</sup> Court records indicate that in addition to the instant case, Plaintiff filed at least two cases in the Eastern District; 5:02-CT-892-H, 5:03-CT-910H; one case in the Middle District 2:95cv132 and one in the Fourth Circuit; 04-7550. All were dismissed as frivolous.

## Signed: January 20, 2006

Graham C. Mullen Chief United States District Judge